App. F. IX-4

Previous References
Mug 29 28- 45
" 128 28 15

1930.
(Durgrace)

File No. 162 30
Serial Nos. 1-2

Later References
Mug 212 - 31 - 16.

General and Revenue Secretariat.

Serial Nos. 2

Part B for December 1930

SUBJECT.

Refund of unspent balance of Rs 542-7-0 sanctioned for improvement of the Maharaja Bahadur Chakrawarti, Durgapur to the funds of that institution.

Ltr D dtd 1364-6
dated 17 12 30

To the Army Comr
" Comptr
" Ch Engr

The balance may be divided between the Engr & the Institution pro rata,

General and Revenue Secretariat — Inwz File No 162 of 1930.

Serial No.

Letter No 1743/29-30 dated the 10th/11th Oct 1930 from the Inwz/ Commr requesting for reasons given, issue of instructions to the Public Works Dept to refund the unspent balance of Rs 542-7-0, in respect of the estimate sanctioned in GO No 5741-6/Inwz 39-28-4 dated the 18th/21st Sept 1928 for improving the Narayana Beharam Chathram at Inwz to the funds of that institution.

1) While sanctioning the estimate for the work in question it was ordered that the cost viz Rs 4,470/- be met as follows:—

From State Grant Rs 1000/-
From Funds of the institution Rs 3470/-

2 On working out the estimate a saving of Rs 542-7-0 is reported & have been effected and both the Mr & the Chief Engineer may claim to it for the benefit of the institution 7-4-1930 in the

NOTE—Contn Sheet

WD 125 4, 0—GPB—87

3 Submitted for orders.
C.G. M.S.K
23/10/30.

4 There is much force in the Munr. Comnr's contention.

1st Member
thro' Law Secy) VS
24.10.30.

5 What is there to show that the Govt grant was only to supplement the resources of the Chairman as contended by the Chief Engr?
D. M.C. S.M.

6 With reference to Law Secy's Endsg at para 5 of the notes flag A, it is submitted that in his letter No C650/26-27 dated the 28th March 1927 the M.C. forwarded for sanction an estimate for Rs 4960/- for the retaining wall Narayanji Bahadur Chairman at Mysore and suggested that a loan to the extent necessary to supplement the funds available at the credit of the Municipality might be advanced from State funds as a loan. But as per orders of the then Secretary Members of Council at para 16 of the notes in file No Mun 128-16 Sls 5-15, this

flag

General and Revenue Secretariat Cross File No. 162 of 1930.

Serial No.

recommendation was not accepted and in this office office letter No 29 Cross, 1.8 dated 7.7.27, the Govt was requested to forward a grant-in-aid of ... on account of this work, called in the State estimates for 1927-28, and the Commissioner reported in his letter dated 17th/19th Aug 1927 that a sum of Rs 1000/- would be made available as contribution for the work from the current year's State grant. It may thus be - June be [illegible] that the grant-in-aid of Rs 1000/- was paid to supplement the funds of the institution

12 on File

7/11/30 Law Secy) 8.11.30.

& Please put up D/F on the lines of the M. of Education.

OFFICE OF THE FIRST MEMBER OF COUNCIL 24 NOV. 1930 No. 5754

D. M. 18.11.30

Let Govt send for Com [illegible] Principles in brief

18.11.30

1st Member) 21.11.30

NOTE:- Contn Sheet

WD 02553 -50,000—GPB—8-7 30

10 Why not divide the saving between govt & the Trust in proportion to their shares of the estimate? Then seek fresh Govt.

Inv 3 File No. 162 of 1930 | General and Revenue Secretariat

11 Put as per orders of the Finance Member of Council & Govt for appl
C.S.
26/11/30 1st Member) 29.11.30

OFFICE OF THE FIRST MEMBER OF COUNCIL 29 NOV. 1930 No. 4333

12 C.S.
15/12

13 Issue
16.12.30

To

2

The Chief Engineer
" Comptroller.

G.O No 1364-6 Fy. 17-12-30

Orders that the Savings of Rs 542-7-0 in the estimate referred to in Sl No1. be divided between the Govt & the institution ~~pro~~ pro rata.

13
18-12-30

M. C. 13]

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore,.....10th October...1930.

Muz 169 — 30

No. 1743 Qw 6
29.30

FROM S. P. Rajagopalachari, Esq., P.A., B.L.,
Muzrai Commissioner in Mysore.

TO

Rajasevaparayana
Srinivasa Iyengar, Esq., B.A., P.L.,
Secretary to the Government of Mysore,
Financial Department.

SIR,

In forwarding herewith correspondence ending with letter No.4110 dated 13-9-30 from the Chief Engineer of Mysore in the matter of refund of Rs.542-7-0 to the Nanjaraja Bahadur Chattram at Mysore, I have the honor to state as follows:-

An estimate for Rs.4470/- was sanctioned in G.O. No.574-6 Muz.39-26-4 dated 18/21-9-1928 for extending the Chattram, Rs.1000/- thereof being met from the State grant for 1928-29 and the balance of Rs.3470/- from the funds of the institution. The work was entrusted to the Public Works Department. Accordingly the work was completed at a cost of Rs.3927-9-0. The Chairman of the Nanjaraja Bahadur Charity Fund requested the Executive Engineer to refund the balance of Rs.542-7-0 to the institution. That officer refused to refund the balance and pleaded that the unspent balance was out of the contribution from State grant and not out of Chattram Funds as the outlay exceeded the contribution from Chattram Funds.

The Chairman then represented the whole case to me and requested me to arrange to get the refund of the amount. Thereupon I made a reference to the Chief Engineer requesting him to instruct the Executive Engineer to refund the unspent balance. The Chief Engineer, in reply states in his letter dated 13-9-30 that the claim for refund is untenable as the State grant was intended to supplement the resources of the Chattram.

I beg to state in this connection that I find myself unable to subscribe to the view taken by the Chief Engineer. The State grant was a lump sum of R. 1000/- and the grants sanctioned from Government funds in the Muzrai Department become the absolute property of the institutions when they were drawn on proper sanction and disbursed. Besides it is the institution and not Government that placed the amount at the disposal of the Public Works Department. In case the outlay had exceeded the sanctioned amount of the estimate, the Public Works Department would not have met it from their funds but would have demanded payment of the same from the funds of the institution.

In these circumstances I request that Government may be pleased to direct the Public Works Department to refund the unspent amount to the credit of the Chattram which is a charitable institution and has borne the major portion of the charges for the work.

The connected file of six papers sent herewith in original may be kindly returned when no longer required.

I have the honor to be,

Sir,

Your most obedient servant,

Yedarasuiga Rau

for Muzrai Commissioner.

Absent- from station

AM/

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:-

Government order No. 574-6/Muz.39-28-4 dated the 18th/21st September 1928 sanctioning an estimate for Rs. 4470/- for extending the Nanjaraj Bahadur Chattram at Mysore, the charge being met as follows:-

Rs. 3470/- from the funds at the credit of the institution

" 1000/- from the Government grant for 1928-29 for construction and repairs of Muzrai institutions.

2. The following letter No. 1743 of 1929-30 dated the 10th/11th October 1930 from the Muzrai Commissioner in the matter of refund of Rs. 542-7-0 being the balance left over after executing the work referred to in the Government order read above to the funds of the Chattram:-

In forwarding herewith correspondence ending with letter No. 4110 dated 13-9-30 from the Chief Engineer of Mysore in the matter of refund of Rs. 542-7-0 to the Nanjaraja Bahadur Chattram at Mysore, I have the honor to state as follows:-

An estimate for Rs. 4470/- was sanctioned in G.O. No.574-6/Muz. 39-28-4 dated 18/21-9-1928 for extending the Chattram, Rs. 1000/- thereof being met from the State grant for 1928-29 and the balance of Rs.3470 from the funds of the institution. The work was entrusted to the Public Works Department. Accordingly the work was completed at a cost of Rs. 3927-9-0. The Chairman of the Nanjaraja Bahadur Charity Fund requested the Executive Engineer of refund the balance of Rs. 542-7-0 to the institution. The Officer refused to refund the balance and pleaded that the unspent balance was out of the contribution from State Grant and not out of Chattram Funds as the outlay exceeded the contribution from Chattram Funds.

The Chairman then represented the whole case to me and requested me to arrange to get the refund of the amount. Thereupon I made a reference to the Chief Engineer requesting him to instruct the Executive Engineer to refund the unspent balance. The Chief Engineer, in reply states in his letter dated 13-9-30 that the claim for refund is untenable

as the State Grant was intended to supplement the resources of the Chattram.

I beg to state ~~thx~~ in this connection that I find myself unable to subscribe to the view taken by the Chief Engineer. The State grant was a lump sum of Rs. 1000/- and the grants sanctioned from Government funds in the Muzrai Department become the absolute property of the institutions when they were drawn on proper sanction and disbursed. Besides it is the institution and not Government that placed the amount at the disposal of the Public Works Department. In case the outlay had exceeded the sanctioned amount of the estimate, the Public Works Department would not have met it from their funds but would have demanded payment of the same from the funds of the institution.

In these circumstances I request that Government may be pleased to direct the Public Works Department to refund the unspent amount to the credit of the Chattram which is a Charitable Institution and has borne the major portion of the charges for the work.

The connected file of six papers sent herewith in original may be kindly returned when no longer required.

Order No. 1364-6 | Muz 162-30-2 — Enc one file 6 papers

Dated, Bangalore, the 16th/17th December 1930

Government are pleased to direct that the savings of Rs. 542-7-0 in question be divided between the Government and the Institution in proportion to their share of contribution towards the cost of work.

V Subrahmanyasastri
for Secretary to Government,
Financial Department.

To

The Muzrai Commissioner in Mysore, returning records.
The Chief Engineer of Mysore.
The Comptroller to the Government of Mysore.

G.R.S. App. F VI G-2]

SUBJECT .....

.....

.....

Diary No. of letter replied to 522

Sec. Mysore

File No: 162-30

Serial No. 2

General and Revenue Secretariat

the Mysore, 193 .

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 17/12/30

Signed by V. S. Sastri

Read—

Endo S 74-6/Mysore 29-28-4, dated the 18th/21st Sept 1928 forwarding an estimate for Rs 4470/- for excluding the Narayanaj Bahadur Chattram at Mysore the charge being met as follows:—

Rs 3470-0-0 from the funds at the credit of the visiting Europeans Rs 1000/- from the State [illegible]

Rs 1000/- for 1929-30 for construction and repairs to Musrai

May this be

(i) Printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Order Thereon No.

Flag S

(2) The following
bills Nos 1743/29-30
dated the 10th/11th
Oct 1930 passed the
Bombay Municipal Corporation
in the matter of the re-
fund of Rs 542-7-0
to the ~~Trustees~~ being
the balance left
over after executing
the work, referred to
in the 2nd read above
to the Trustees of the
Chembur.—
(Share certificates
in duplicate)

List of enclosure

orders No. 1364-6 Encl one file of 6 papers
Sent are returned 17/12/30 BM
to direct that the
payments of Rs 542-7-0
in question be
cancelled between
the ~~Trustees~~ Debt
the Government

G. R. S. App F. G. 3

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

and the resolution in proportion to their share of contribution towards the cost of work.

29.11.30
for Clerk of Council

To the Engineer & Surveyor
Improvement Scheme
Accounts.
The Chief Engineer
of Improvement
The Comptroller
& Cashier
C.C.
28/11/30

WD 0327—GPB—10 000—18-5-27